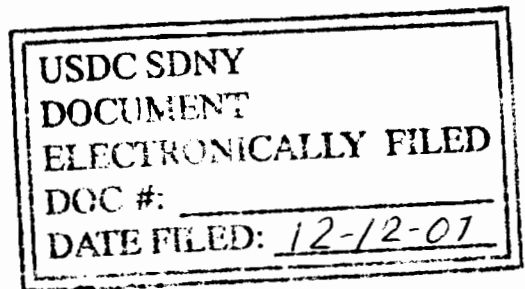


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DOCKET NO. 04 M.D. 1598 (JSR)

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IN RE EPHEDRA PRODUCTS X
LIABILITY LITIGATION :
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MARK SCOTT FELTMEYER, :
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Plaintiff, :
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v. :
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N.V.E., INC., et al. :
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Defendants. :
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PERTAINS TO DOCKET NO. 1:07-cv-~~2864~~ (JSR)



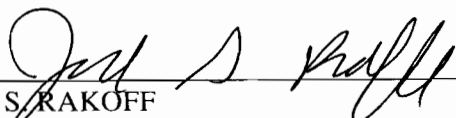
STIPULATION AND AGREED ORDER OF DISMISSAL WITH PREJUDICE

Pursuant to this Court's Case Management Order No. 2, Plaintiff Mark Scott Feltmeyer, and Defendants N.V.E., Inc., d/b/a NVE Pharmaceuticals, Inc. ("NVE, Inc."), by and through counsel, being in agreement, hereby advise the Court that Plaintiff's Complaint against all Defendants, including Healthworks International, L.L.C. should be dismissed, with prejudice, each party to bear its own costs.

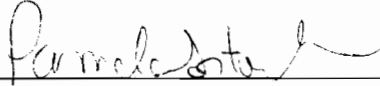
Based upon the agreement of the parties as set forth above;

IT IS ORDERED that Plaintiff's Complaint against all Defendants, be, and the same is hereby, DISMISSED, with prejudice, each party to bear its own costs.

SO ORDERED this 11th day of December, 2007.


JED S. RAKOFF
JUDGE, UNITED STATES DISTRICT COURT

SO STIPULATED:



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